Orgl. to Mysore State

Supdt., Tr.II

Govt. II-27—65.000 31-10-50.

P&E

Home (1953) Department.

Passed

Rt. SERIES. 1

G.O. NO	2185
Dated	22.6.53

FOR MYSORE STATE

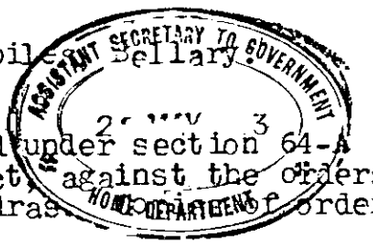
[Despatch Abstract.]

Before the Honmerable Minister for Transport, Madras.

Revision petition:-

Appellant--- C.S.Rowjee, Rowjee Motor Service, Adoni.

Respondent-- The Rayalseema Automobiles, Bellary.



Revision petition (appeal) filed under section 64-A (rule no.147) of the Motor Vehicles Act, against the orders of the Central Road Traffic Board, Madras, in the orders enclosed.

Subject: Motor vehicles--stage carriage permits. Routes: Adoni to Halvi via Kosgi--grant of permits to Messrs.Rayalseema Automobiles, by the Regional Transport Authority, Bellary.

The above named appellant begs to submit the following appeal and requests for consideration amongst others.

113791
295

Grounds of appeal.

1 The C.R.T.B. has failed to note that the respondents, Rayalseema Automobiles, are new concern in the field, just born after the war days somewhere in 1947, as against the appellant who has been running the buses since 1924. He is one of the pioners in the Transport line for the whole of Ceded districts.

2 He has not been granted any permits all these days against the respondent, who has been continuously been encouraged by grant of permits, every year now and then, and owns now 5 buses within a short period of 4 to 5 years.

3 The C.R.T.B. Madras has completely erred in preferring the respondents as against the appellant who has put in 27 years of experice and is a native of Adoni and he has well equipped workshop at Adoni with the latest devices for repairs, the place being starting poing of the route in question. The respondent has not even an ordinary workshop at Bellary, let alone Adoni.

4 The headquarters of the respondent is at Bellary while that of Appellant is at Adoni. Most of the routes of the appellant start from Adoni which would ensure continued efficiency to the travelling public. The respondent stops each of his two buses which are already touching Adoni one day in a week for maintenance of the vehicle and does not care to run his spare bus even on those days. The fact may be verified both with the Police and the Public. The appellant can run without stoppage since has not only a spare bus but also he is having his workshop at Adoni. The respondent has to take his vehicle to Bellary for all repiar work.

5 The appellant runs a bus on a sector of this route via Halvi to Adoni route in the opposite direction of the present route. The grant of this route is in favour of the appellant and would fecilitate public assured traffic even in rainy season considering the nature of roads between Halvi and Kosgi which is intercepted by big vanks and riverlets which are all unbridged, and only a owner of two buses can run during rainy months by giving connection when ever there are floods. The respondents can give the public better service,

2 6. The appellant has executed in the past road repairs on the sector of Halvi Kosgi at his own cost and is providing travelling conveniences which even onwer of the magnitude of Sri Machani Gangappa, the biggest and largest bus owner of the district cannot give. This fact may kindly be verified with local enquiries and and in public.

7. The record of the appellant is not so bad as to deny him of the grant of this permit. Some of the punishments which were given to him during the absence of the appellant when he was on a tour to Badarinath and were specifically done during such a period with a definite motive to harm him and his reputation, the reasons and the motives are such that it would be improper to put them in white and black.

8 The Regional Transport Authority and the C.R.T.B.Madras, have chosen a bogus Company who run their services as Rayalseema Transport Service and apply permits in the name of the Rayalseema Automobiles, while actually the first application of a permit which was granted was in the name of one Sri G.Seetharama Reddy. This peculiar firm claims to be a partnership concern of nearly sixteen members while the firm itself stands unregistered. An enquiry would reveal the whole truth rightly.

9 The respondent runs bus on the route Adoni to Mantralayam performing daily four singles. The grant of this route in his favour would enable him to make four more singles on the sector Adoni to Malapalli totalling eight singles resulting in virtually a monopoly which is generally opposed in the interests of the public which prevail.

10 The C.R.T.B. has failed to note that it was at the instance of the appellant the route in question was proposed. The appellant, though, offered by the R.T.O. to run additional trips on this sector, declined to run additional trips, as timings after the grant of additional trips, were not in the interests of the public. The copies of correspondence relating to this are enclosed. Thus the appellant is a loser in both ways, both by way of not getting a permit and not running an additional trip. This is quite unjust and unfair.

11 The appellant was also hard hit during the war period since the Company, he had joined went into liquidation owing to the differences the directors had amongst themselves. After this Government policy was to encouarage all new comers like respondents. It is only recently that Government is considering the question of existing operators.

12 For the above reasons the appellant begs to present that he is put to loss and requests the Honurable Minister to set aside the ordrers of the Central Road Traffic Board and to confirm the grant of permit to him.

13 A challany for payment of required fees and the copies are enclosed herewith.

27-5-53

Appellant.
for C.S.Rowji

C. A Rayer

R.C. No. A-2 3967-51

Regional Transport Office,
Anantapur, Dated 30/7/52

Memo

Sub:- Motor Vehicles - Stage Carriages- Opening of a new route Adoni to Halvi via Kosigi for one bus - proposal.

In connection with the proposal referred to above it is suggested that the route of the bus MDB 510 of Sri. C.S. Rowjee, Bus Owner, Adoni may be varied so as to make the bus ply from Adoni direct to Halvi Via Kuppagal and Malapalli instead of our via Yemmiganur and to counter balance the loss of trip caused thereby by granting additional trips. On the sector Yemmiganur to Halvi to the bus MDB 435 of Sri. M. Gangappa, Fleet Owner, Yemmiganur, Sri C.S. Rowjee, is therefore requested to state within a week of the receipt of this memo whether he is willing to get the route of his bus MDB 510 varied as suggested above.

Sd. P.S. Rajagopala Raju.
Regional Transport Offiver, Anantapur.

True Copy forwarded (By order)

Sd.
Head Clerk.

MC. 5-8

To. Sri. C.S. Rowjee, Bus Owner Adoni. (By R.P. Ack.Due)

From:-
C.S. Rowjee,
Rowjees Motor Service,
Adoni.

To.

The Regional Transport Officer,
Anantapur.

Sir,

Sub:- Ref. R.C. No. A-2 3907 -51 dated 30/7/52 received on 8/8/52 - motor vehicle - stage carriages - opening of a new route Adoni to Halvi via. Kosagi for one bus - proposed.

I beg to submit that I am not willing to the proposed variation as suggested in the above reference and I am satisfied in the existing route and request to be excused in denying your suggestion. As regards to the proposal of new route Adoni to Halvi I beg to submit in my humble way the following and request to consider the same favourably.

The proposal is between Adoni and Halvi via Koppagal and Chinnatumbalam , Malapalli and Kosagi for a new bus . Any variation and extensions to the owners existing on the route are not advisable as the fresh timings after the variations and extensions are subject to the existing timings of the variated or the extended bus, and will not be in the interest of the travelling public and also the Government will be losing the coveted revenue by the grant of a new bus on a fresh route .

The reasonable solution is to give one additional trip to the existing bus Halvi to Pathikonda via Kosagi, Malapalli Kuppagal and Adoni between Adoni and Kosagi withAdoni as head quarters.(Night Halt).

From:-
C.S. Rowjee,
Rowjees Motor Service,
Adoni.

To.

The Regional Transport Officer,
Anantapur.

Sir,

Sub:- Ref. R.C. No. A-2 3907 -51 dated 30/7/52 received on 8/8/52 - motor vehicle - stage carriages - opening of a new route Adoni to Halvi via. Kosagi for one bus - proposed.

I beg to submit that I am not willing to the proposed variation as suggested in the above reference and I am satisfied in the existing route and request to be excused in denying your suggestion. As regards to the proposal of new route Adoni to Halvi I beg to submit in my humble way the following and request to consider the same favourably.

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The reasonable solution is to give one additional trip to the existing bus Halvi to Pathikonda via Kosagi, Malapalli Kuppagal and Adoni between Adoni and Kosagi withAdoni as head quarters.(Night Halt).

Tentative Timings.

Adoni	Kosagi	Kosagi	Adoni	Pathikonda.
D. 7 A.M.	A. 8/30 A.M.	A 10 A.M.	A.11/45 A.M.	A.1 P.M.
	D. 8/45 A.M.	D.10/15 A.M.	D.12 P.M.	D.

DownJourney

D. 2/30 P.M.	D. 4/15 P.M.	D.5/45 P.M.	D.7/15 P.M.	--

The next possible solution is to bifurgate the route Halvi Pathikonda (Via Kosagi and Adoni) in to two routes as (1) Halvi to Adoni (2) Adoni to Pathikonda and every bus and each of the route be given four single trips daily .

As the proposal is between Adoni - halvi (Via Kuppagal and Kosagi) the needs of travelling the public will be well served by shuffling the particular route covered by the proposed route and not by any other route.

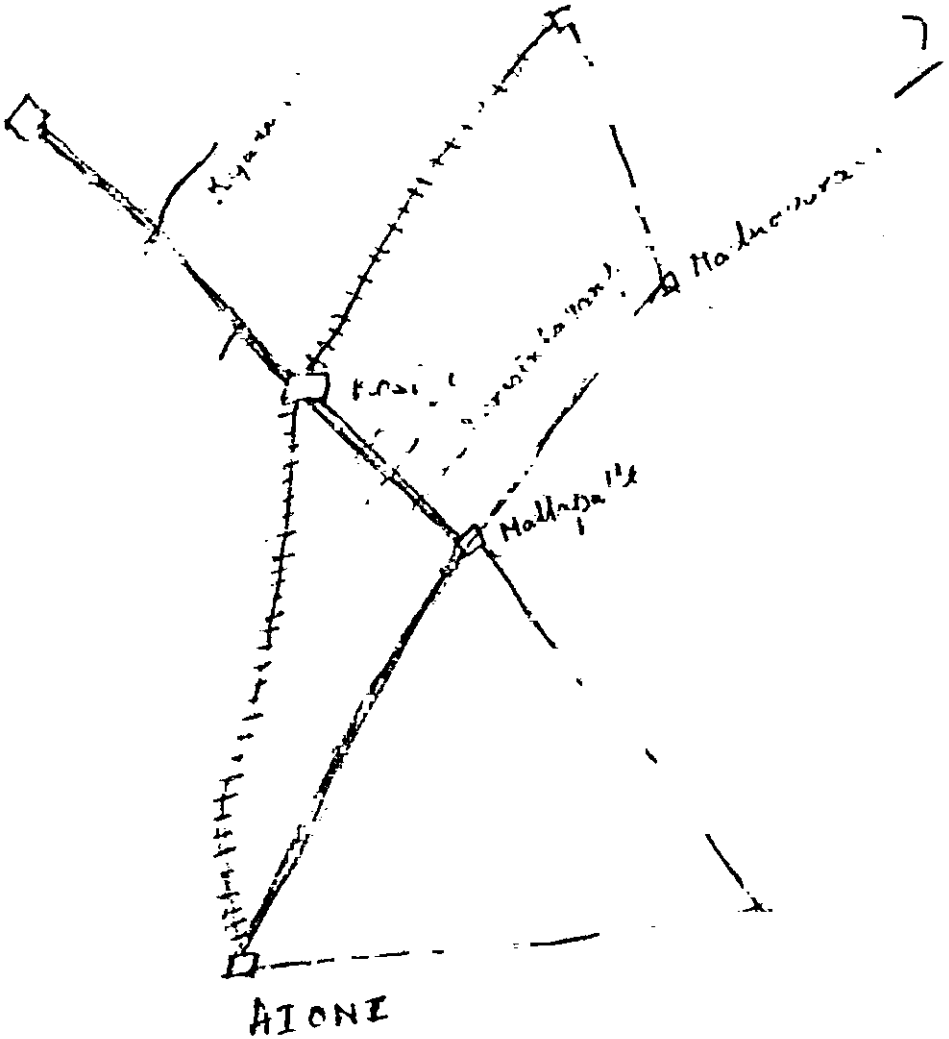
I trust my suggestion will be given due consideration.

Adoni.)
D. 8/8/52.)

Yours sincerely,

Sd. C.S. Rowjee

For Rowjees Motor Service.


AIONI

Sir

Please information required by Treasury Officer Central. Please accept and remit.

ORIGINAL

S. & A. L.

Chalan for payment of money into the Huzur Treasury / Sub-Treasury at Adoni

No.	By whom paid (Name and address of the person on whose behalf money is paid.)	On what account, with authority if any and head of account.*	Amount			Monthly consecutive number assigned to this receipt in the day-book.	
			Rs.	A.	P.	No.	Month.
	C. S. Rajagopal Adoni	Fee for exemption to Govt. against the orders of C.R.T.B.	50	0	0		
		Total (in words and figures) Rupees fifty only	50	0	0		

Dated 26. 5. 1953

Signature of Remitter.

Received Rupees

Huzur Treasury

Sub-Treasury

The 194

Signature of Treasurer.

Shroff

Entered

Signature of English Head Accountant.

Signature of Treasury Officer.

Taluk Head Accountant or Sarishtadar.

* Head of account should be filled in by the Departmental Officer or Treasury.

(P.T.O.

10

" The receipt is not valid or binding on the [illegible]—

I. In the case of payments in Huzur Treasuries it is signed (1) by the Huzur Treasurer and (2) by the English Head Accountant when the amount is under Rs. 500 and also (3) by the Treasury Deputy Collector when the amount is Rs. 500 or more.

II. And in the case of payments in sub-treasuries, (1) by the Shroff and (2) by the Taluk Head Accountant or Taluk Sarishtadar."

III Receipts for cash or cheques paid for service stamps should be given in M.T.C. Form 5-A (T. & A. 85).

" I. కుజూరు ట్రెజరీలలో చేసిన చెల్లింపుల విషయములలో ఏకపు మొత్తము రూ 500 లక్ష తక్కువగా నున్నప్పుడు (1) కుజూరు ట్రెజరరును, (2) ఇంగ్లీషు హెడ్ అకౌంటెంటును మరియు (3) ఏకపు మొత్తము రూ 500 లు లేదా అంతకంటె ఎక్కువగానున్నప్పుడు ట్రెజరీ డిప్యూటీ కలెక్టరుపాడను,

II. సబ్-ట్రెజరీలలో చేయబడిన చెల్లింపుల విషయములలో (1) కరాణమ్ను, (2) తాలూకా హెడ్ అకౌంటెంటు లేదా తాలూకా శిరస్తాదారున్ను చేసిన సంతకములుచేసిన చీటీ

ఈ రసీదు చెల్లతగినదిగా లేదా కట్టుబాటగునదిగా ఉండదు."

III. స్టాంపుల నిమిత్తము చెల్లించిన రొక్కమునకైన లేదా చెక్కులకైన రసీదులు M.T.C. 5-A (T. & A. 85) ప్రకారంగా యివ్వబడవలెను.

PROCEEDINGS OF THE MEETING OF THE CENTRAL ROAD TRAFFIC BOARD HELD ON 24.4..1953(FRIDAY).

Item No. 6 of 23.4.53
adjourned to 24.4.53

Present: 1. Sri P.C. Mathew, I.C.S., Chairman.
2. Sri T.D. Ramiah Pantulu, M.A.B.L., Member.

R. No. 7483/A2/53 dated 24.4.53.

Sub: Appeal - Stage Carriages - Adoni to Halvi(via) Kosigi - Grant of permit to the Rayalaseema Automobiles by the Regional Transport Authority Bellary -

Ref: 1. Petition dated nil received on 9.2.53 from Sri Adi Andhra Hanumappa.
2. Petition dated 17.2.53 from Sri BB. Naidu.
3. Petition dated 11.2.53 received on 18.2.53 from Sri I.K. Hanumantha Reddi.
4. Petition dated nil received on 20.2.53 from Sri C.S. Rowjee.
5. From the Regional Transport Officer, Bellary R. No. 3637/A2/51 dated 13.3.53.

--

ORDER:-

In this case, the Regional Transport Authority, Bellary has granted a stage carriage permit on the route, Adoni to Halvi to the Respondent in preference to the 4 appellants.

2. The respondent has 4 other permits and he operates on a route which overlaps the present route for a distance of about 20 miles. Of the appellants, the First appellant is a new entrant having no experience in passenger transport, the Second and third appellants have one bus each and the 4th appellant has 7 bus permits. The 2nd and 3rd appellants merely have Adoni as the starting point of their other route. The respondent is a small operator who is favourably situated for the operation of this route and we do not see any reason to upset the grant. All the appeals are accordingly dismissed.

DESPATCHED.
28 APR 1953

P.C. Mathew,
Chairman.

To 1. Sri Adi Andhra Hanumappa, C/O Sri N. Loki Reddy, Land Lord, Nagaradona, Chippigiri Post,(via) Guntakkal. (Paras 1 to 2 only)
2. Sri B.B. Naidu, C/O Sri I. Baliah, Advocate, 42, Mowbrays Road, Alwarpet, Madras.18. -do-
3. Sri I.K. Hanumantha Reddy, C/O Sri R. Ramalinga Reddy, Advocate, 61, Lloyds Road, Royapetta, Madras. -do-
4. Sri C.S. Rowjee, Rowjees Motor Service, Adoni. -do-
5. M/s. Rayalaseema Automobiles, Hanumantha Vilas, Bellary. -do-
6. The Regional Transport Officer, Bellary(in full with Records by Reg. Post)

/By Order /

Superintendent.
27.4.53

En/27.4.

BEFORE THE MADRAS STATE, HOME DEPARTMENT, MADRAS

(Under Section 64-A of the Madras Motor Vehicle Act).

Revision Petition No. of 1953

against

K.HanumanthaReddy,
Bus owner,
Victoriapet,
Adoni. ..... Petitioner.

-Vs-

MS. Rayalaseema Automobile,
Hanumantha Vilas,
Bellary. .... RESPONDENT.

ASSISTANT SECRETARY GOVERNMENT HOME DEPARTMENT

Sub:- STAGE CARRIAGE- ROUTE ADONI TO HALVI VIA KOSGI- APPEAL AGAINST THE ORDER OF THE CENTRAL ROAD TRAFFIC BOARD, MADRAS DATED 24.4.53. IN R. NO. 348 3/A 2/53.

1114 10 47

Grounds of appeal among others against the order of the Central Road Traffic Board, Madras in the rference quoted above.

1. The order of the Central Road Traffic Board is against equity and arbitrary.

2. The said Authority has overlooked the merits of this appelant's case.

3. This appelant has since been granted a new route between Adoni and Bellary by Regional Transport Authority Bellary on 28.4.53 in addition to one already granted to him, by Govt. between Adoni and Siruguppa in G.O. MS No.4178 date 1.11.51. The award of the route under consideration will make this applicant a fleet owner which is the avowed policy of the Govt..

4. The route between Adoni and Siruguppa which this petitioner is running now completely for only 6 monthes, as the rest of it is blocked by river across which there is no bridge. For the rest of three monthes only 20 miles are run and during the other three monthes only 16 miles route is run. During the six monthes when the bus will be plying throughout, only three monthes will be the season time when there will be good traffic. For the rest of the period the bus runs under a loss. I therefore submit that the route between Adoni and Halvi may be given to me setting aside the order of the Central Road Traffic Board so that the loss made under ther

might get compensated.

This appellant has maintained a clean and satisfactory record of the service which he is now running from three years.

6. I therefore pray that order of the C.R.T.B. may be setaside and the permit awarded to me.

A D O N I.

D/23-5.53.

Yours Faithfully,

K. Hanumantha Reddy

From.
K. HANUMANTHA REDDY
VICTORIPET
ADONI

Encl. one chalan for Rs 50/- No: 825

TREASURY
15 MAY 1953
825

ORIGINAL

P

...instructions see reverse.

...payment of money into the Head Treasury / Sub-Treasury

...name and address of the person on whose behalf paid.	On what account, with authority if any and head of account.	Amount	Monthly consecutive number entered in the ...
K. Hanumantha Reddy Bus owner Victoriapet. Adoni	Government Revision fee for the Route Adoni to Halvi via Kanji.	Rs. 50	A. P.
Date 25.5.53.	Total (in words and figures) ..	Fifty Only	

Signature of Remitter.

Received ...

Head Treasury ...

Sub-Treasury ...

The ... 19...

Signature of Treasurer or Accountant.

Entered.

Signature of Examining Head Accountant

Signature of Treasurer or Accountant or Sub-Treasurer.

Treasurer's Head of account to be filled in by the Departmental Officer or Treasury.

P.T.O.

INSTRUCTIONS.

ನಿಬಂಧನೆಗಳು.

(Reverse)

(ಹಿಮ್ಮೈಚಿ).

"The receipt is not valid or binding on the Government unless—

I. In the case of payments in Huzur Treasuries it is signed (1) by the Head [illegible] and (2) by the English Head Accountant when the amount is under Rs. [illegible] the Treasury Deputy Collector when the amount is Rs. 500 or more.

II. And in the case of payment in Sub-Treasuries, (1) by the Sheristadar and (2) by the Head Accountant or Taluk Sheristadar."

III. Receipts for cash or cheques paid for service stamps should be [illegible] Form 5 A (T. & A. 15).

"I. [illegible] (1) [illegible] (2) [illegible] (3) [illegible]

II. [illegible] (1) [illegible] (2) [illegible]

III. [illegible] M.T.C. 5-A (T. & A. 15) [illegible]

PROCEEDINGS OF THE MEETING OF THE CENTRAL ROAD TRAFFIC BOARD HELD ON 24.4..1953(FRIDAY).

Item No. 6 of 23.4.53
adjourned to 24.4.53

Present: 1. Sri P.C. Mathew, I.C.S., Chairman.
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R. No. 7483/A2/53 dated 24.4.53.

Sub: Appeal - Stage Carriages - Adoni to Halvi(via) Kosigi - Grant of permit to the Rayalaseema Automobiles by the Regional Transport Authority — Bellary -

Ref: 1. Petition dated nil received on 9.2.53 from Sri Adi Andhra Hanumappa.
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4. Petition dated nil received on 20.2.53 from Sri C.S. Rowjee.
5. From the Regional Transport Officer, Bellary R. No. 3637/A2/51 dated 13.3.53.

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ORDER:-

In this case, the Regional Transport Authority, Bellary has granted a stage carriage permit on the route, Adoni to Halvi to the Respondent in preference to the 4 appellants.

2. The respondent has 4 other permits and he operates on a route which overlaps the present route for a distance of about 20 miles. Of the appellants, the First appellant is a new entrant having no experience in passenger transport, the Second and third appellants have one bus each and the 4th appellant has 7 bus permits. The 2nd and 3rd appellants merely have Adoni as the starting point of their other route. The respondent is a small operator who is favourably situated for the operation of this route and we do not see any reason to upset the grant. All the appeals are accordingly dismissed.

DESPATCHED
28 APR 1953

3.

P.C. Mathew,
Chairman.

To 1. Sri Adi Andhra Hanumappa, C/O Sri N. Loki Reddy, Land Lord, Nagaradona, Chippigiri Post,(via) Guntakkal. (Paras 1 to 2 only)
2. Sri B.B. Naidu, C/O Sri I. Baliah, Advocate, 42, Mowbrays Road, Alwarpet, Madras.18. -do-
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4. Sri C.S. Rowjee, Rowjees Motor Service, Adoni. -do-
5. M/s. Rayalaseema Automobiles, Hanumantha Vilas, Bellary. -do-
6. The Regional Transport Officer, Bellary(in full with Records by Reg. Post)

/By Order/

Superintendent.

En/27.4.

Issue today bf
30/V/53

21

Home (Tr.II) Deptt.

Memo.No.11410 Tr.II/53-1 dated 30/5

M.Vs. - Stage carriages - R.T.A., Bellary - Route Adoni to Halvi (via) Kosigi - Grant of permit - Appeals dismissed by the C.R.T. & Revision petition to Govt.

Ref: From Sri K. Hanumanta Reddy, revision petition d/23.5.53

Sri K. Hanumanta Reddy ~~is referred~~ to Rule 148-B of the M.M.V. Rules and ~~he is requested to~~ shall not later than 8.6.53 send three more ~~additional copies~~ of the petition cited, failing which the petition will be rejected as not in compliance with the Rules.

29.5.1953

To
Sri K. Hanumantha Reddy,
Bus owner, Victoria-
pet - under Cert.
of posting.

Rcd. 9.6.53

Note: The petr. has sent only two copies of the revision petition. He may be asked to send three more copies of the revision petition as required by the Rules. Subject to orders, draft memo. above is subd. approval.

29/5/53

29.5

శ్రీరాములు. Telegram:-KOTHINITI.

Inglandahalu K. Hanumantha Reddy;

Land-Lord & Bus Owner Victoriapet, **ADONI**

ఇంగ్లదహాళు కె. హనుమంతరెడ్డి, ల్యాండ్ లార్డు అదవాని.

Date 5-6-1953.

ASSISTANT SECRETARY TO GOVERNMENT
6 - JUN 1953
HOME DEPARTMENT

To,

The Secretary

Home Department

Madras

Sir,

Ref: According to your Memorandum No 111410 Transport 11/53-1 dated 30.5.53 I am here with Sending Three copies.

please acknowledge

Yours Faithfully

11088-5/53 కె. హనుమంతరెడ్డి.

C.No.113791/53 Tr.II-53

HOME(Tr.I)DEPARTMENT

G.O.Rt.No: R185 Dated. 22.6.53..

M.Vs. Stage carriages--R.T.A.,Bellary-Route Adoni to Halvi via Kosigi--Permit granted to Sri.Rayalaseema Automobiles--Appeal dismissed by the C.R.T.Bd--Revision petition to Govt.--Rejected.

Read:-

From Sri.C.S.Rowjee, Revision petition d.27-5-1953.

From Sri.K.Hanumantha Reddy, Revn. petition d.23-5-1953.

From Sri.K.Hanumantha Reddy Letter d.5-6-1953.

The R.T.A. Bellary granted a stage carriage permit on the route Adoni to Halvi to Sri.Rayalaseema Automobiles Bellary. Against this order of the R.T.A. 4 of the unsuccessful applicants before the R.T.A ~~filed revision petitions before~~ preferred appeals to the C.R.T.Bd. Madras. The C.R.T.Bd. dismissed all the appeals in its proceedings R.Mc.7483/A2/53 dated 24-4-1953. ~~It is~~ Against this order of the C.R.T.Bd, ~~two~~ the petrs. have come up to Govt. in revision.

2.The Govt. have examined the case with ref. to the revision petitions cited and the order of the CRTB. The petr. Sri.Hanumantha Reddy has another permit for a route of which the starting place is Adoni one of the termini of the route in question. The respondent has a permit the route of which covers the route in question for about 20 miles. He is a smaller operator when compared to Sri.C.S.Rowjee. The Govt. consider that the respondent is favourably situated to operate the route in question efficiently than the two revision petitioners.

~~and they do not consider~~ the order of ~~either the R.T.Auth~~ or the C.R.TBd is not illegal, irregular or improper. The Governor of Madras therefore declines to interfere..

19/VI/53

20.6.953

19/6/53

To

Sri.C.S.Rowjee Motor Service
Adoni (Under cert. of posting)

Sri.K.Hanumantha Reddy, Victoripet
Adoni under cert. of posting

The Rayalaseema Automobiles,
Hanumantha Vilas, Bellary.

The Secy.C.R.T.Bd. Madras.8
with copy of pp.1-2 & 13-15 c.f.

The R.T.O Bellary, with a copy of
1-2- and 13-15 c.f. under
cer. of posting.

Copy to S.F.
Copy to Andhra SF
Orgl to ~~Andhra~~ Mysore State.

Syd (wp) dt 4/6/53
dt dt 1, 1, 2, 3, 5
Dy 23/6/53

Home (Tr.II)Deptt.

).No.113791 Tr.II/53.)

ORDER PAPER

M.Vs. - Stage Carriages - R.T.A., Bellary - Route Adoni to Halvi (via) Kosigi - Permit granted to Sri Rayalaseema Authomibiles - Appeal dismissed by the C.R.T.Bd. - Revision petition to Govt from Sri C.S.Rowjee, Adoni and Sri Hanumantha Reddi

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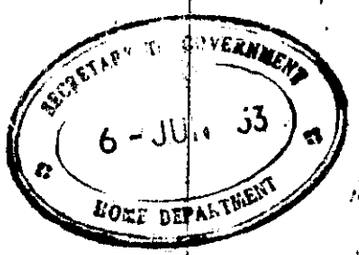
Recommendations of the Circulating Officer (Jt.Secy.)

Repetition May be rejected summarily
V Hanumantha Rao
2-6-53

Orders of Minister (I & L):

I reject the petition & uphold agreed decisions of RTA & CRTB for reasons stated by them & with which I agree
C Krishnamurthi Rao
5/6/53



20,002—8-6-53.

ORDER PAPER.

C.No.113791 Tr.II/53

Home (Tr.II) Department.

Subject. M.Vs. - Stage carriages - R.T.A., Bellary - Route Adoni to Halvi (via) Kosigi - Permit granted to Sri Rayalaseema Automobiles - Appeal dismissed by the C.R.T.Bd. - Revision petition to Govt. from ~~Sri C.S. Rowjee and~~ Sri K. Hanumantha Reddi.

Recommendations of Circulating Officer.
(Deputy Secretary - I)

This Petition, since submitted, does not improve the Case of the Petitioner, and may be rejected.

J. Subbuswamy.
11 Jun 53
D. S. I

Orders of Ministers.

(1) M (I & L) Petition Rejected
13/6/53

(2)

(3)

(4)

(5)

(6)

(7)

(8)

(9)

(10)

SECRETARY TO GOVERNMENT
15 JUN 53
HOME DEPARTMENT

If orders passed in the Cabinet, Decision of Cabinet.

Home (Tr.II)Deptt.

C.No.113791 Tr.II/53.)

M.Vs. - Stage Carriages - R.T.A., Bellary - Route Adoni to Halvi (via) Kosigi - Permit granted to Sri Rayalaseema Automobiles - Appeal dismissed by the C.R.T.Bd. - Revision petition to Govt..

From Sri C.S. Rowjee, revision petition d/27.5.53

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Abstract of A.S. note:

"R.T.A. & C.R.T.Bd. are agreed. Petr. has 7 buses; respondent has 4 buses. Why not reject summarily? Open a N.F. & examine the contentions.

J.J.R.
30.5.53"

Abstract of the case

District:	Bellary
Route:	Adoni to Halvi (Via) Kosigi
R.T.A's order:	Granted a stage carriage perm on the route to Sri Rayalase Automobiles, Bellary.
C.R.T.Bd's order:	Appeals dismissed
Petn.to Govt..	From Sri C.S. Rowjee to set aside the orders of the C.R.T Bd. and to grant the permit to him.

This is a case of revision petition fro. Sri C.S. Rowjee against the orders of the C.R.T.Bd. on p.11 c.f. The petition is in time and the prescribed fee of Rs.50/- has been paid. A sketch map of the route and the connecting is at P[illegible] The facts of the case as gathered from the file are as follows:--

2. The R.T.A., Bellery granted a stage carriage permit on the route Adoni to Halvi to Sri Rayalaseema Automobiles, Bellary. The appeals preferred to the C.R.T.Bd. against this order were dismissed by the Board in its proceedings d/24.4.53. It is agains

this order that the petr. has come up to Govt. in revision.

3. (i) The petr. has contended that the C.R.T.Bd. failed to note that he has put in 27 years of experience in Transport field whereas the respondents have entered the field only in 1947, that he has got a well-equipped workshop at Adoni and that the respondents have no workshop. (ii) He has also contended that his headquarters is at Bellary but that the respondents have their headquarters at Adoni. (iii) The petr. has contended that he runs a bus on a sector of the route in question (iv) He has urged that the respondents are operating on the route Adoni to Mantralayam performing four singles daily and that the grant of this route in their favour would enable them to do four more singles on the sector Adoni to Malapalli totalling eight singles. (v) He has also pointed out that the C.R.T.Bd. has failed to note that it was at his instance that the route in question was opened, that though the R.T.O. granted permission to do addl. trips on this sector, he declined to run addl. trips as timings were not in the interests of the public.

Petr's contention (i) and (ii) above: There seems to be no force in this contention. Even as has been admitted by the petr. and the respondent does not seem to be a new entrant as he has four other permits and he operates on a route which overlaps the present route for a distance of about 20 miles. The C.R.T.Bd. has observed that the respondent is favourably situated for the operation of this route. and he has got four other permits.

Petr's contention (iii) and (iv) above: The Board seems to have taken all these factors into consideration before dismissing the appeals. It has observed that the respondent herein is operating on a route which overlaps the present route for a distance of about 20 miles

Petr's contention (v) on p.2 ante does not seem to be tenable, as he cannot claim the grant of permit to him on this ground. The contention at 'A' on p.2 ante does not in any way advance his claim to the permit, because it is ~~for~~ left to the petr. to avail the permission granted to him by the R.T.O., or to give up that opportunity in anticipation of the grant of permit in question ~~would have been given~~ to him.

4. The petrs. does not seem to have raised any valid contentions meriting interference by the Govt. The R.T.A. and the C.R.T.Bd. are agreed in this case. The Board for the reasons set out in para 2 of its proceedings on p.11 c.f. has ~~rejected~~ dismissed the appeals. In the circumstances the petn. may be rejected summarily. ~~in which the question of stay does not arise~~. The file may be circulated to M(I & L) for orders.

para: p.1

The respondent is a comparatively Smaller operator and is favourably situated to operate the route. The petr has not raised any valid contention. The R.T.A & the CRTB are agreed. The petn. may be rejected summarily.

J Jayaram 2.6.1953

I Reject petition & uphold agreed decisions of RTA & CRTB for reasons stated by them & with which I agree

Krishnaswami 5/6/53

M(I&L) 5/6/53

6 Venkatasubbaiah 2.6.53

SECRETARY TO GOVERNMENT 6-JUN 1953 HOME DEPARTMENT

SECRETARY 6-JUN 1953

From Sri K. Hanumantha Reddy, revision petn. d/23.5.53
(Issued as Memo.No.11410 Tr.II/53-1, d/30.5.53)
From Sri K. Hanumantha Reddy, letter d/5.6.53

Please see the revision petition on pp.13-15 c.f. since received. ~~This petn. is also~~ against the same order of the C.R.T.Bd. on p.11 c.f., against which the petn. on file in Cc was preferred.

2. The petr. has contended that as he has since been granted (with) a permit on the Adoni & Siruguppa, he may be granted the permit on the route in question also. This is not a valid contention for setting aside the agreed decisions of the R.T.A. and the C.R.T.Bd. He has no ~~other~~ better claims (than the respondent) for the grant of the permit on the route in question. The grounds on which the permit ~~of~~ was granted to the respondent have been set forth in the office note on pp.2-3 ante. In the circumstances, for orders whether this petition may also be rejected along with the one from Sri C.S. Rowjee on pp.1-2 c.f. and whether the file need be re-circulated to M(I & L) ~~for orders~~.

(The petition from Sri Hanumantha Reddy was received on 26/5. as office put up the file on 2/6. It should be explained separately why this petition was not also noted on file)

The petitioner Sri Hanumantha Reddy has no other permit. The starting place for which is Adoni but the respondent has a permit the route of which covers the route in question for about 20 mls. The respondent is therefore in a better position to serve the public. The petn. of Sri Hanumantha Reddy may also be rejected summarily.

11.6.1953

D.S I

9/VI/53

10/6/53

Applied

Put down on file before submission to DS I

11/6/53

Entries noted.

Copies to CP on 30/6/53

30/VI/53

137(7)/ This Petition, since submitted, does not improve the Case of the Petitioner, and may be rejected

J. Subbaswamy.
11 Jun 53

Petition Rejected
U Krishnaiah
M (I, 4): 137/53

Draft ord is subd.
17/VI/53
19/6/53

20.6.1953

(Issued as GOR. No. 2185 dt 22.6.53)